

**Posted - October 14, 2004**

**REGULAR MEETING      OCTOBER 18, 2004**

**TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND**

**The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, October 18, 2004 at 7:00 P.M. at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.**

**Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.**

**ACTING AS A BOARD OF LICENSE COMMISSION**

**1. Public Hearing (Advertised)**

**Application of Y.J.R., LLC, dba Over Flo's Retro Deli, 44 Wave Avenue, holder of a Retailer's Class BV Alcoholic Beverage License, to TRANSFER said license to S.K. Industries, Inc., dba Rusty's, for use at the same premises.**

**2. Application of S.K. Industries, Inc., dba Rusty's, 44 Wave Avenue,**

**for RENEWAL of a Retailer's Class BV Alcoholic Beverage License, for the 2004-2005 licensing year. (Requires Advertising for Public Hearing)**

## **CONSENT CALENDAR**

- 1. Approval of Minutes - Regular Meeting, April 19, 2004.**
  
- 2. Approval of Minutes - Special Meeting, April 28, 2004.**
  
- 3. Notices (3) of Public Hearing received from the Zoning Board of Review, re: 1) Application of Valley Partners of Newport LLC for variance to construct deck on real estate located at 88 Valley Road, TAP 113, Lot 116, 2) application of John Crimmins appealing Planning Board denial of proposed subdivision of real estate located at Third Beach Road, TAP 125, Lot 93 and 3) application of John Crimmins for variance to allow subdivision of Lot 93, TAP 125, Third Beach Road.**
  
- 4. Memorandum of Town Clerk, Town of Jamestown, with enclosure, re: Resolution in support of statewide Open Space and Recreation Bond.**
  
- 5. Communication of William Kapos, President, Excellent Coffee Inc., re: Ocean Coffee Roasters, 510 East Main Road.**

**6. Communications (2) of Kevin and Julia O'Halloran, 22 Esplanade and Dr. Anthony Regine, 63 Shore Drive, re: Shore Drive right-of-way.**

**TOWN COUNCIL**

**1. Application of SK Industries, Inc., dba Rusty's, 44 Wave Avenue, for a Victualling House License, for the 2003-2004 licensing year. (New)**

**2. Application of SK Industries, Inc., dba Rusty's, 44 Wave Avenue, for an Amusement License, for the 2004-2005 licensing year. (New)**

**3. Application of SK Industries, Inc., dba Rusty's, 44 Wave Avenue, for a Mechanical Amusement Device License (4 games, one junk box) for the 2004-2005 licensing year. (New)**

**4. An Ordinance of the Town of Middletown (Second Reading)**

**An ordinance in amendment to the Town Code of the Town of Middletown, Title 16, Planning and Development, Chapter 160, Development Impact Fees, as amended.**

**5. Memorandum of Hedy M.S. Bennett, Chair, Planning Board, with enclosure, re: Advisory recommendation on proposed building height ordinance.**

**6. Continued from meeting of September 20, 2004**

**(Public Hearing Closed)**

**An ordinance of the Town of Middletown (Second Reading)**

**An ordinance in amendment to the Zoning Ordinance of the Town of Middletown, Article 6, Application of District Regulations, Section 603, District Dimensional Regulations.**

**7. An Ordinance of the Town of Middletown (First Reading)**

**An ordinance in amendment to the Town Code of the Town of Middletown, Title 7, Traffic Code. (Stop sign and speed limit on Meadow Lane)**

**8. Memorandum of Town Councillor Karen Roarke, re: Esplanade sidewalks.**

**9. Memorandum of Town Administrator, re: Proposed resolution concerning esplanade sidewalks.**

**10. Resolution of the Council, re: Endorsing esplanade sidewalks in the Town of Middletown.**

**11. Petition of Narragansett Electric Co. and Verizon relative to a joint pole location on Bliss Mine Road. (Roads/Utilities recommendation included)**

**PUBLIC FORUM SESSION**

**Pursuant to Rule 23 of the Rules of the Council, Citizens may address the Town Council on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

**EXECUTIVE SESSION**

**Pursuant to the provisions of Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2), RIGL, the Council will meet in executive session to consider, discuss and act upon matters related to collective bargaining (Town Hall).**

**Barbara L. Nash, CMC  
Town Clerk**

**This meeting location is accessible to the handicapped. Individuals**

**requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before the meeting.**